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3 BILL NO. R-75-10-28

4 RESOLUTION NO. R- 58-75

5
6 A RESOLUTION APPROVING AN AGREEMENT
7 BY THE MAYOR OF THE CITY OF FORT
8 WAYNE AND THE FORT WAYNE PATROLMAN'S
9 BENEVOLENT ASSOCIATION, INC.

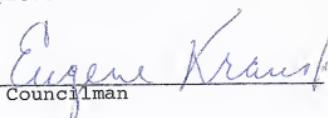
10 WHEREAS, heretofore the City of Fort Wayne, Indiana
11 by its Mayor has recognized that Fort Wayne Patrolman's
12 Benevolent Association, Inc. represents a majority of
13 those officers of the Fort Wayne, Indiana Police Department,
14 both uniform and non-uniform, holding the rank of Patrolman,
15 but expressly excepting civilian employees of said Fort
16 Wayne Police Department; and,

17 WHEREAS, a copy of said Agreement is attached hereto
18 and marked Exhibit A; and ,

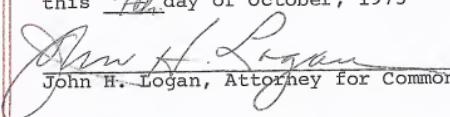
19 WHEREAS, Fort Wayne Patrolman's Benevolent Association,
20 Inc. has requested the Common Council of the City of
21 Fort Wayne to join in said recognition by the Mayor of
22 the City of Fort Wayne of said Patrolman's Benevolent
23 Association, Inc; and,

24 WHEREAS, the Common Council of the City of Fort Wayne
25 after due consideration of the matter has concurred in said
recognition of said Fort Wayne Patrolman's Benevolent Association,
Inc., as the collective bargaining representative
for the Police Officers in the units described in said
attached Exhibit A hereto;

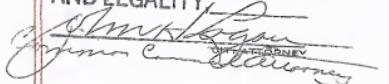
26 NOW THEREFORE BE IT RESOLVED: That the Common Council
27 of the City of Fort Wayne, Indiana hereby joins in the
28 Mayor's recognition of Fort Wayne Patrolman's Benevolent
29 Association, Inc. as the exclusive bargaining representative
30 for the officers in the units described in attached Exhibit
31 A hereto, and does further approve said Exhibit A attached
hereto.

32 
33 Councilman

34
35 Approved as to form and legality
36 this 7th day of October, 1975

37 
38 John H. Logan, Attorney for Common Council

39
40 APPROVED AS TO FORM
41 AND LEGALITY

42 
43 John H. Logan
44 Attorney for Common Council

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on _____ (and to the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: _____

CITY CLERK

Read the third time in full and on motion by _____, seconded by _____, and duly adopted, placed on its passage. Passed (Passed) by the following vote:

AYES	NAYS	ABSTAINED	ABSENT
BURNS	X	—	—
HINCA	X	—	—
KRAUS	X	—	—
NUCKOLS	X	—	—
MOSES	X	—	—
SCHMIDT, D.	—	X	—
SCHMIDT, V.	X	—	—
STIER	X	—	—
TALARICO	X	—	—

Date: 10-14-75

Charles W. Ulbranen

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map, General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 158 on the 14th day of October, 1975.

ATTEST:

(SEAL)

Charles W. Ulbranen
CITY CLERK

James S. Slaten
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of October, 1975, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Ulbranen

CITY CLERK

Approved and signed by me this 15 day of Oct 1975, at the hour of 10:00 o'clock A.M., E.S.T.

John J. Hargan

MAYOR

Bill No. R-75-10-38

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations *Re-refuted* to whom was referred an Ordinance
approving

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

Eugene Kraus, Jr. - Chairman

John Huckols - Vice-Chairman

Vivian G. Schmidt

Paul M. Burns

Donald J. Schmidt

Eugene Kraus

Vivian G. Schmidt

RECOGNITION AGREEMENT

This Agreement made and entered into this 8th day of
August, 1975, by and between the CITY OF FORT WAYNE, ALLEN
COUNTY, INDIANA, and all appropriate subordinate organizations
under the authority of the City of Fort Wayne, Allen County,
Indiana, and the FORT WAYNE PATROLMAN'S BENEVOLENT ASSOCIATION,
INC.

WHEREAS, The CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA,
has recognized that the FORT WAYNE PATROLMAN'S BENEVOLENT ASSO-
CIATION, INC., represents a majority of employees in the units
as described in the attachment hereto, and;

WHEREAS, FORT WAYNE PATROLMAN'S BENEVOLENT ASSOCIATION, INC.,
has requested the CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA, to
grant it recognition as the collective bargaining representative
for the employees in the units as described in the attachment
hereto;

NOW, THEREFORE, the CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA,
recognizes the FORT WAYNE PATROLMAN'S BENEVOLENT ASSOCIATION, INC.,
as the collective bargaining representative for the employees in
the units described in the attachment hereto and the FORT WAYNE
PATROLMAN'S BENEVOLENT ASSOCIATION, INC., hereby agrees to repre-
sent the employees in the units as described in the attachment
hereto.

CITY OF FORT WAYNE,
ALLEN COUNTY, INDIANA

FORT WAYNE PATROLMAN'S BENEVOLENT
ASSOCIATION, INC.

BY: _____ BY: _____
ITS PRESIDENT

BY: _____
ITS SECRETARY-TREASURER

APPROVED AS TO FORM
AND LEGALITY.

ATTACHMENT TO RECOGNITION AGREEMENT

The units for which the FORT WAYNE PATROLMAN'S BENEVOLENT ASSOCIATION, INC., has been recognized as the bargaining agent for are as follows, to-wit:

All of those officers of the Fort Wayne, Indiana Police Department, both uniformed and non-uniformed, holding the rank of patrolman but expressly excepting therefrom civilian employees of the Fort Wayne Police Department.

TERM OF AGREEMENT

This agreement shall be effective as of the 8th day of August 1975, and shall remain in full force and effect through the 31st day of December, 1977, and/or until such time a contract is entered into by and between the CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA, and the FORT WAYNE PATROLMAN'S BENEVOLENT ASSOCIATION, INC.

CITY OF FORT WAYNE,
ALLEN COUNTY, INDIANA

FORT WAYNE PATROLMAN'S
BENEVOLENT ASSOCIATION, INC.

By: _____
Ivan A. Lebamoff, Mayor
City of Fort Wayne,
Allen County, Indiana

By: _____
Its President

By: _____
President, Common Council
of City of Fort Wayne,
Allen County, Indiana

By: _____
Its Secretary-Treasurer

Exhibit A"

October 9, 1975

Mr. Eugene Kraus
805 Gettle Bldg.
Fort Wayne, In. 46802

Dear Gene:

At your request, I have considered the matter of enactment into an Ordinance by Common Council of the proposed Bill of Rights by Patrolman's Benevolent Association. I render the following opinion.

Anything affecting the working conditions of Policemen and Fire Fighters is within the proper province of the Executive and Administrative branch of the City Government and is not within the province of the Legislative branch.

True, the Common Council has jurisdiction pursuant to IC-18-2-1-10 to negotiate amounts of compensation paid by the City to members of Police and Fire Departments, but the expressed statement concerning compensation does not include a grant of legislative authority as to working conditions and rules pertaining thereto.

IC 18-1-1.5-15 gives the City power to establish, maintain and operate:

- "(a) A police and law enforcement system to preserve public peace and good order;
- (b) A firefighting and prevention system;
- (c) Facilities and equipment for police and fire systems;"

The City of Fort Wayne has a Board of Public Safety and therefore it would be my opinion that this matter should emanate from the Board of Public Safety. The Common Council could then enact rules promulgated by said Board of Public Safety in accordance with IC 18-1-1.5-17 into ordinance form.

Respectfully submitted,

JOHN H. LOGAN
jhl/bm

DIGEST SHEET

R. 75-10-38.

TITLE OF RESOLUTION RESOLUTION APPROVING AN AGREEMENT BY THE MAYOR OF THE CITY OF FORT WAYNE AND THE FORT WAYNE PATROLMAN'S BENEVOLENT ASSOCIATION, INC.

common

DEPARTMENT REQUESTING EXPLANATION RESOLUTION COMMISSION COUNCIL

SYNOPSIS OF MEASURES RESOLUTION RATIFIED APPROVAL BY MAYOR

EFFECT OF PASSAGE APPROVES MAYOR'S ACTION

EFFECT OF NON-PASSAGE

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) NONE

ASSIGNED TO COMMITTEE (PRESIDENT) Regulations